



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

January 18, 2011

South Pacific Division
Regional Integration Team

Mr. Benjamin F. Carter
President, Central Valley Flood Protection Board
3310 El Camino Ave., Rm. 151
Sacramento, CA 95821

Dear Mr. Carter:

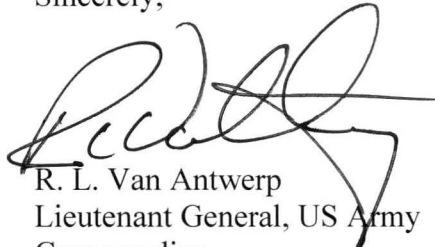
This is in response to your letter dated October 28, 2010 in which you request a temporary exemption from Engineer Technical Letter (ETL) 1110-2-571, *Guidelines for Landscape Planting and Vegetation Management at Levees, Floodwalls, Embankment Dams, and Appurtenant Structures* until 2012 and to collaborate on a vegetation variance process for the State of California.

The February 2009 California Central Valley Flood System Improvement Framework (Framework) already provides a temporary exemption of ETL 1110-2-571 until July 2012. Approved under our policy described in the January 9, 2009 memorandum "Temporary Extension of P.L. 84-99 Rehabilitation Eligibility for Non-Federal Sponsors Implementing System-wide Improvements", the Framework specifies that vegetation deficiencies will not be taken into account to determine eligibility for rehabilitation assistance. This temporary extension does require review and renewal on an annual basis. The Framework identifies interim vegetation management criteria to improve visibility and access, while you develop your Central Valley Flood Protection Plan.

I applaud the extraordinary effort the Central Valley Flood Protection Board (Board) and the California Department of Water Resources (DWR) have made to improve the levee systems in the Central Valley. It is truly a unique situation of multiple concurrent levee improvement projects at the Federal, state, and local levels mixed with complex issues. I fully support the multiagency partnership developed through the Framework and we remain committed to it. I recognize that the Framework was developed prior to the proposed revision of our vegetation variance request process and not everything in the newly revised process fits the unique circumstance in California. I support working with the Board and DWR to better define a vegetation variance process that can be implemented under the Framework and possibly be incorporated into your comprehensive plan. We want to work together to develop a process that can be more efficiently implemented without compromising public safety and within the context of California's current situation. I am aware Mr. James Dalton, Chief, Engineering and Construction, also supports this collaboration and he and his staff will begin working with you towards a solution.

We look forward to our continued partnership. If you have any questions, please contact Mr. Dalton at 202-761-8826.

Sincerely,



R. L. Van Antwerp
Lieutenant General, US Army
Commanding